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FCC - MAILROOM

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Herman Axelrod, Ph.D.
Executive Director

BUCKET FILE COPY ORIGINAL

May 15, 2007

Federal Communications Commission
ATTN: Marlene Dortch, Secretary
Office of the Secretary
9300 East Hampton Drive
Capital Heights, MD 20743

CC: 02-6

To Whom It May Concern:

This year marks our fifth attempt to apply for E-Rate. The Green Tree School plans to use E-Rate to help offset the costs of telecommuting on the internet and provide an on campus network. In accordance with the SLD procedures we submitted our application in a timely fashion and with all required documentation. After a few weeks we were notified that our budget plan to demonstrate how the Green Tree School would pay for non-eligible items was inadequate. We provided a new and detailed budget worksheet. After receiving that new plan the SLD has sent us a formal denial letter.

At no time did anyone from the SLD contact to tell us what exactly they needed. I spent time looking over the SLD web site to see if their was support documentation to outline what is information is required for our budget data and none existed on the SLD web site.

At this time I am requesting that the FCC review our case and ask that the SLD allow time to provide a budget plan in the format required.

Please feel free to contact me with any questions or concerns.

Thank you.

Best regards,


Walt Mamrosch
Business Manager

Enclosures

<Green Tree School - Budget Plan 2006-2007 School Year>
<Appeal Denial Letter from SLD>

CC: E-Rate 2006-2007 File

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Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2006-2007

February 16, 2007

Walt Mamrosch
Green Tree School
146 West Walnut Lane
P.O. Box 42696
Philadelphia, PA 19144

Re: Applicant Name: GREEN TREE SCHOOL
Billed Entity Number: 20566
Form 471 Application Number: 516425
Funding Request Number(s): 1421243, 1421268, 1421368, 1421374, 1421387,
1421393
Your Correspondence Dated: January 10, 2007

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2006 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1421243, 1421268, 1421368, 1421374, 1421387,
1421393
Decision on Appeal: **Denied**
Explanation:

- After thorough review of the appeal and the relevant facts and documentation, it was determined that Green Tree School was unable to demonstrate that when the Form 471 was filed, the school had secured access to the funds needed to pay their portion of the charges. During the review of the application, you were asked to indicate whether the school had secured their portion of the funding and to provide a copy of the operating budget for 2006-2007 showing both revenue and expenses. In the response provided to USAC on August 7, 2006, you provided a copy of a budget; however, the budget did not identify specific funds to pay the school's share. Based on your documentation, USAC supports the denial of the

application due to your failure to provide proof that the school had secured their portion of the funding to pay for the non-discounted portion of the E-rate funding at the time the Form 471 application was filed. Program guidelines do not permit new information to be accepted on appeal when the applicant has had an opportunity to provide that same information during the review process. The new budget provided on appeal cannot be accepted. Consequently, the appeal is denied.

- FCC Rules require applicants to certify that, at the time they submit the FCC Form 471, they have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the products and/or services purchased as well as to pay the non-discounted charges for eligible products and/or services. 47 C.F.R. sec. 54.504(c)(1)(iii); FCC Form 471, Block 6 Item 25. USAC reviews this certification by conducting an Item 25 "necessary resources" review. The FCC has emphasized the importance of conducting this review to protect the integrity of the schools and libraries support mechanism. See Request for Review by New Orleans Public Schools, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., CC Docket Nos. 96-45 and 97-21, Order, 16 FCC Rcd. 16653, DA 01-2097 (rel. Sep. 18, 2001). This rule requires the applicant to pay its service provider the full cost of the non-discounted portion owed to the service provider from the funds budgeted within that funding year.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Approved Operating Budget 2006/2007
Green Tree School

Net Income

603,187.95